

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA)
)
)
) Case No. 2:22-mj- 84
v.)
)
)
PATRICK TATE ADAMIAK)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

Your affiant, William Hairston Jr., being duly sworn, states as follows:

Introduction and Agent Background

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and have been since July 2014. I completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Brunswick, GA in October 2014. I also completed Special Agent Basic Training at the Bureau of Alcohol, Tobacco, Firearms, and Explosives training center. I graduated with a Master of Arts in Criminology from Georgia State University in May 2014. I currently investigate violations of Federal law which primarily involve firearms. During my time with ATF, I have done numerous investigations which utilize information from email providers and other digital sources. Due to my training and experience, I am familiar with illegal firearms trafficking and how many of these transactions are facilitated by using computers. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

2. The United States is investigating the possession and transfer of post-ban machineguns¹ and possession of a firearm not registered to the individual in the National Firearms Registration and Transfer Record. The investigation concerns possible violations of, inter alia, Title 18, U.S.C. § 922(o) and Title 26, U.S.C. § 5861(d).

3. This affidavit is submitted in support of the attached criminal complaint charging Patrick Tate ADAMIAK, with 26 U.S. Code § 5861 which states, “It shall be unlawful for any person (d) to receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record.”

4. The facts and information contained in this affidavit are based on my personal knowledge and observations, information conveyed to me by other law enforcement officials, and my review of records, documents, and other physical evidence obtained during the investigation of this case. All observations referenced below that were not personally made by me were related to me by the persons who made such observations.

5. This affidavit contains information necessary to support probable cause for the application. It is not intended to include each, and every fact and matter observed by or known to me. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only and are not intended to be a verbatim recitation of such statements.

¹ The term “machinegun” is defined in Title 26, U.S.C. § 5845(b) as “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person”.

Summary of Probable Cause

1. The United States is investigating the possession and transfer of post-ban machineguns and possession of a firearm not registered to the individual in the National Firearms Registration and Transfer Record. The investigation concerns possible violations of, inter alia, Title 18, U.S.C. § 922(o) and Title 26, U.S.C. § 5861(d).

2. Special Agents of the ATF have received information from the following source concerning the illegal transfer of machineguns:

3. Confidential Source (CS) was working under the direction and control of the ATF: On October 27, 2021, CS provided information to the ATF regarding the firearms trafficking practices of PATRICK TATE ADAMIAK (herein after ADAMIAK). CS had personal knowledge of ADAMIAK's activities, having previously sold firearm's parts to ADAMIAK. The CS stated that he/she texted ADAMIAK stating that he/she met someone at Knob Creek Range, who was looking to purchase Thompson machinegun parts. ADAMIAK agreed to allow the CS to give his email address to this individual. The CS stated that ADAMIAK sells machineguns and makes one cut through the receiver or magazine well so that the firearm is readily and easily made into a machinegun once the receiver is welded back together.

4. The information provided by the CS regarding ADAMIAK has been corroborated as detailed herein, by myself and other law enforcement officers and databases, CS has not, to my knowledge, provided me or any other law enforcement officer with any false information about ADAMIAK's firearms trafficking activities. For these reasons, I consider the information provided by the CS to be reliable.

5. CS has provided reliable and actionable information to law enforcement for consideration on pending judicial charges involving felon in possession of firearm. No promises or guarantees were made by investigators in order to gain CS's cooperation. CS has provided information that has led to arrests and seizures of contraband in separate, unrelated investigations. CS's criminal history includes 1996 felony conviction for firearms violations and for unlawful transferring of firearms, a 1999 felony conviction for firearms and explosives violations, a 2000 conviction for being a felon in possession of a firearm, firearms related supervised released violations, and a 2009 conviction for being a felon in possession of ammunition. Based on CS's ability to conduct recorded, firearms trafficking-related phone calls to ADAMIAK, I believe the information that he/she provided to be credible and reliable.

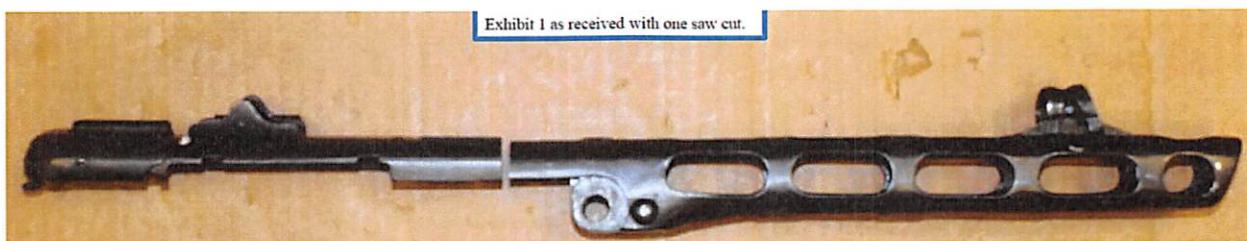
Recent Investigation

6. On October 26, 2021, the CS contacted ADAMIAK at BlackDogArsenal@Gmail.com using the Undercover (UC) name "Rick Hayes" and the UC email account BatCaveOrdnance@gmail.com. The name listed to BlackDogArsenal@Gmail.com is Patrick ADAMIAK. The CS initiated the conversation through email by stating that he/she found ADAMIAK's information at Knob Creek and that the CI wanted to purchase "Thompson things". The CS is referring to Thompson machineguns.

7. ADAMIAK replied that he stocks a good bit of the small receiver parts for Thompson machineguns, but he just sold three single cut receivers to an individual that lives out of state. ADAMIAK also attached a picture of what appeared to be a Thompson machinegun receiver with a single cut through it. ADAMIAK went on to say that he currently has PPS43 and a PPSH41 single-saw-cut receivers for sale. He stated that the suspected machinegun receivers sell faster than he can get them. The CS requested to purchase a pair of the PPS43 and the

PPSH41 suspected machinegun receivers for \$3,000.00. ADAMIAK declined and stated that he usually sells them for \$2,000.00 each but will sell both to the CS for a total of \$3,250.00. ADAMIAK stated that his mailing information is: Tate ADAMIAK, 4421 St. Mark Road, Virginia Beach, VA 23455. Agents conducted a search of this address using Accurint and found that this address was listed to the name Patrick Tate ADAMIAK.

8. On November 8, 2021, the CS emailed ADAMIAK at BlackDogArsenal@Gmail.com and requested that ADAMIAK send one of the machinegun receivers for \$2,200.00 so that the CS can make sure the receiver is not warped or damaged. ADAMIAK agreed to the arrangement. On November 9, 2021, agents sent \$2,200.00 in money orders to ADAMIAK at 4421 St. Mark Road, Virginia Beach, VA 23455. On November 14, 2021, ADAMIAK emailed a tracking number to the CS. On November 18, 2021, agents received a package addressed from www.BlackDogArsenal.com, Black Dog Arsenal, 3521 Bow Creek Boulevard, Virginia Beach, VA 23452. The tracking number sent by ADAMIAK matched the tracking number on the package. Upon opening the package, agents discovered a PPSH-41 receiver with a single-saw-cut through it (as depicted below), meeting the definition of a machinegun under Title 26, U.S.C § 5845(b). The PPSH-41 had a single cut through the receiver, but could easily be made/restored into an operational machinegun.

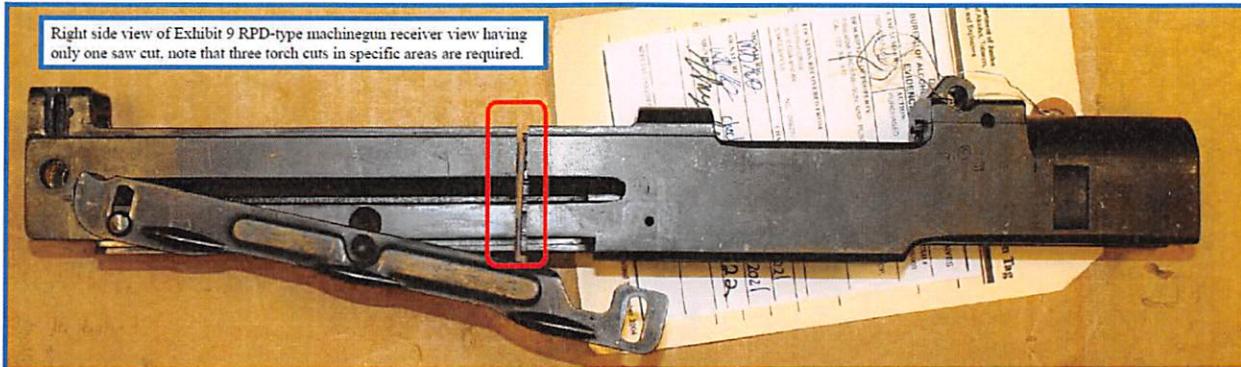


9. On November 9, 2021, I received documentation from the National Firearms Registration and Transfer Record (NFRTR), which showed that ADAMIAK does have National Firearms Act (NFA) weapons registered to him, but the PPSH-41 was not registered to him.

Therefore, ADAMIAK's possession and transfer of the PPSH-41 receiver, an unregistered NFA weapon, constitutes a violation of Title 26, U.S.C. § 5861.

10. On October 30, 2021, the CS emailed ADAMIAK that he would like to purchase five PPS M43 suspected machineguns for an additional \$7,050.00. ADAMIAK agreed to the price. On November 23, 2021, agents sent \$7,050.00 in money orders to ADAMIAK at 4421 St. Mark Road, Virginia Beach, VA 23455. On December 8, 2021, agents received a package addressed from Tate ADAMIAK, 4421 St. Mark Road, Virginia Beach, VA 23455. Upon opening the package, agents discovered five Polish PPS M1943-type-saw-cut-receivers, each meeting the definition of a machinegun under Title 26, U.S.C. § 5845(b). Each of the five receivers had a single cut through them, but each could be readily made/restored into an operational machinegun.

11. On December 2, 2021, the CS contacted ADAMIAK at BlackDogArsenal@Gmail.com and stated, "Looks nice what would you have to have out of that reasonably on the RPD?" The CI was referring to a Russian RPD machinegun. ADAMIAK responded, "3k". This means three thousand dollars. The CS replied that he would send the money for the RPD machinegun next week. On December 15, 2021, agents sent \$3,000.00 to ADAMIAK at 4421 St. Mark Road, Virginia Beach, VA 23455. On December 27, 2021, agents received a package addressed from www.BlackDogArsenal.com, Black Dog Arsenal, 3521 Bow Creek Blvd, Virginia Beach, VA 23452. Upon opening the package, agents observed a Russian RPD-type-saw-cut-receiver, meeting the definition of a machinegun under Title 26, U.S.C. § 5845(b). The Russian RPD machinegun receiver had a single cut through it (as depicted in the image below) but could readily be made/restored into an operational machinegun.



12. On January 28, 2022, an Undercover (UC) agent using the UC email account previously used by the CS, contacted ADAMIAK at BlackDogArsenal@Gmail.com and asked if ADAMIAK still had possession of the M1. The agent was referring to a Thompson M1 machinegun. ADAMIAK replied that he no longer had a M1, but he did have a M1A1 that he is willing to sell. A M1A1 is referring to a Thompson M1A1 machinegun. ADAMIAK also stated that he will have another Russian RPD for sale in a few weeks.

13. Database records show that 4421 St. Mark Road, Virginia Beach, VA and 3521 Bow Creek Boulevard, Virginia Beach, VA, are both associated to ADAMIAK.

14. On February 10, 2022, a federal search warrant was obtained for records stored by Google, Inc. related to Patrick ADAMIAK, owner of the PREMISES, requesting information related to email account BLACKDOGARSENAL@Gmail.com. That information showed that the Google, Inc. account is associated with Patrick ADAMIAK.

15. On March 15, 2022, agents sent \$3,000.00 in money orders to ADAMIAK at 4421 St. Mark Road, Virginia Beach, VA 23455. On March 28, 2022, agents received a package addressed from www.BLACKDOGARSENAL.com, Black Dog Arsenal, 3521 Bow Creek Blvd, Virginia Beach, VA 23452. Upon opening the package, agents observed a Polish PPSH-type saw-cut receiver.

16. On March 28, 2022, ADAMIAK stated that he has a PPSH machinegun kit for sale for \$3,250.00 and a Thompson machinegun kit for \$3,500.00. On March 29, 2022, agents responded and requested that he sell both for \$6,000.00.

17. On April 7, 2022, Agents served a federal search warrant at 3521 Bow Creek Boulevard, Virginia Beach, VA 23452. During the search, agents found five improvised explosives devices (IEDs).

18. Also, April 7, 2022, Agents served a federal search warrant at 4421 St. Mark Road, Virginia Beach, VA 23455. Prior to the initiation of the search warrant, agents observed ADAMIAK exit 4421 St. Mark Road, Virginia Beach, VA 23455 and place several items packaged to be mailed using the United States Postal Service. A traffic stop was conducted and ADAMIAK was detained and transported back to 4421 St. Mark Rd, Virginia Beach, VA. Agents observed several packages in the backseat of the vehicle and agents transported the vehicle back to 4421 St. Mark Rd, Virginia Beach, VA. During the search of the residence, agents found several suspected machineguns, documents, grenade launchers, and proceeds from illegal activity.

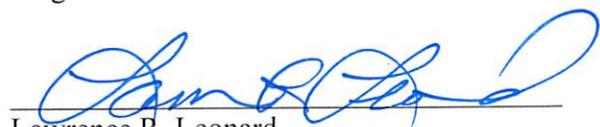
Conclusion

Based on the foregoing, I submit there is probable cause to believe that on or about October 2021 through April 2022, Patrick Tate ADAMIAK committed the following offenses: (1) Possesses and receive a machinegun not registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. § 5861; (2) Possess and transfer a post-ban machine gun and possess with intent to transfer a post-ban machinegun, in violation of 18 U.S.C. §922(o). Therefore, your affiant requests that a warrant be issued for PATRICK TATE ADAMIAK for violation of these two offenses.



William S. Hairston Jr.
Special Agent Bureau of Alcohol, Tobacco,
Firearms, and Explosives

SUBSCRIBED and SWORN before me on this 8th of April 2002, in the City of Norfolk, Virginia.



Lawrence R. Leonard
UNITED STATES MAGISTRATE JUDGE
Norfolk, Virginia